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9	Attorneys for United States of America		
10	UNITED STATES DISTRICT COURT		
11 12	NORTHERN DISTRICT OF CALIFORNIA		
13	SAN JOSE DIVISION		
14	UNITED STATES OF AMERICA,) No. 13-CR-00562-DLJ-1	
15	Plaintiff,) STIPULATION TO CONTINUE STATUS) CONFEDENCE: OPDER	
16	v.) CONFERENCE; ORDER	
17	JOSE MAGALLON,))	
18 19	Defendant.))	
20	STIPULATION		
21	The United States, by and through Special Assistant United States Attorney Edward R. Fluet,		
22	and defendant Jose Magallon, by and through Assistant Federal Public Defender Cynthia C. Lie, hereby		
23	stipulate that, with the Court's approval, the status hearing currently set for October 31, 2013 at 9:00		
24	a.m., shall be continued to December 5, 2013 at 9:00 a.m.		
25	The reason for the requested continuance is that the government is in the process of compiling		
26	additional discovery and defense counsel will need additional time to review the discovery and consult		
27	with her client.		
28			
	STIPULATION TO CONTINUE 13-CR-00562 DLJ		

The parties agree that the time between October 31, 2013, and December 5, 2013, is excludable 1 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for continuity of counsel and 2 3 effective preparation by government counsel. IT IS SO STIPULATED. 4 5 Dated: October 24, 2013 6 EDWARD R. FLUET 7 Special Assistant United States Attorney 8 Dated: October 24, 2013 9 CYNTHIA C. LIE 10 Assistant Federal Public Defender 11 [] ORDER 12 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that 13 the status hearing shall be continued from October 31, 2013 at 9:00 a.m. to December 5, 2013 at 9:00 14 a.m. 15 THE COURT FINDS that failing to exclude the time between October 31, 2013, and December 16 5, 2013, would unreasonably deny counsel the reasonable time necessary for effective preparation, 17 taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). 18 19 THE COURT FURTHER FINDS that the ends of justice served by excluding the time between October 31, 2013, and December 5, 2013, from computation under the Speedy Trial Act outweigh the 20 interests of the public and the defendant in a speedy trial. 21 THEREFORE, IT IS HEREBY ORDERED that the time between October 31, 2013, and 22 December 5, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. 23 $\S 3161(h)(7)(A) \text{ and } (B)(iv).$ 24 IT IS SO ORDERED 25 Dated: October H€, 2013 26 27 THE HONORABLE D. LOWELL JENSEN 28 United States District Court Judge

STIPULATION TO CONTINUE

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